

// A regular meeting of the Council of the City of Lynchburg was held on the 13th day of January, 2004, at 7:30 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Seiffert gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the December 16 (two meetings) and December 18, 2003 meetings, having been previously furnished Council, reading was dispensed with. Council Member Barksdale stated that he was not present at the December 18 meeting. Upon questioning by Council Member Garber, Clerk of Council Patricia Kost explained that since both he and Vice Mayor Dodson did not return to the December 16 work session following the closed meeting discussion, that they were recorded as absent when the vote was taken regarding the appointments. On motion of Vice Mayor Dodson, seconded by Council Member Foster, Council by the following recorded vote approved the minutes as presented:

Ayes: Adams, Barksdale, Dodson, Foster, Seiffert, Hutcherson 6

Noes: Garber 1

// In the matter of Commissioner of the Revenue, Resolution #R-03-192 amending the FY 2004 Commissioner of Revenue budget and appropriating \$23,645 to fund a Business Auditor position, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Economic Development - General, Resolution #R-03-194 amending the FY 2004 General Fund Budget and appropriating \$150,000, fully reimbursable, for the Framatome expansion, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Registrar, Resolution #R-03-195 amending the FY 2004 General Fund Budget and appropriating \$21,620, to provide supplemental funding to the Electoral Board/Registrar's office for costs associated with the February 2004 Democratic primary, ballots for the May 2004 City Council election, and statewide training for the Registrar and Deputy Registrar, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - Refuse, Resolution #R-03-196 amending the FY 2004 Solid Waste Management Operating Fund Budget and appropriating \$109,105 and \$30,891 for the refuse collection and recycling gainsharing programs, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - General, Resolution #R-03-197 amending the FY 2004 Capital Improvements Plan (CIP) and appropriating \$50,000, with resources from the City Capital Projects Fund Designated Fund Balance, to support the capital improvements to Wards Road and authorizing the City Manager to sign an agreement for this project, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-03-198 amending the City/Federal/State Aid Projects Fund FY 2004 Budget and appropriating \$61,068, fully reimbursable, to purchase personal protective, search and rescue, and logistical support equipment for the Fire and EMS Department, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-03-199 amending the FY 2004 General Fund Budget and appropriating \$20,000 from the FY 2004 General Fund for Contingencies for the purchase of uniforms in accordance with the Fire Department's recently revised Uniform Policy, laid over from the December 16, 2003 meeting, was again presented and read, and on motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted the Resolution:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Finance - General, City Council Report #9 was considered. On motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted Resolution #R-04-001, as presented, authorizing the Billings and Collections Division to destroy paid tickets for real estate and personal property taxes for FY 1998:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Treasurer, City Council Report #10 was considered. On motion of Council Member Garber, seconded by Vice Mayor Dodson, Council by the following recorded vote introduced and laid over

to a later meeting for final action Resolution #R-04-002, as presented, amending the FY 2004 General Fund Budget and appropriating \$15,120 from the General Fund Reserve for Contingencies for the State Treasurer's Office in the Galleria:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - General, City Council Report #11 was considered. On motion of Vice Mayor Dodson, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-003, as presented, amending the FY 2004 General Fund Reserve for Contingencies and appropriating \$73,000 to replace the façade at the entrance to the Main Street Parking Deck, 908 Main Street:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - General, City Council Report #12 was considered. On motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-004, as presented, amending the FY 2004 General Fund Budget and appropriating \$10,000 for the Fifth Street Corridor Study:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - Water, City Council Report #13 was considered. On motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote adopted Resolution #R-04-005, as presented, authorizing the City Manager to execute a contract amendment in the amount of \$51,090 with the firm of Hazen and Sawyer for additional professional engineering design of proposed construction located at the College Hill Water Plant:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #14 regarding the request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 552 Savannah Avenue under Section 36-19.5 of the Code of Virginia. Ms. Connie Snavelly, representing LRHA, outlined the request and asked for approval. Ms. Dorothy Hagan, whose home is next door to the property, stated that her property value has decreased because of the condition of the property and asked that City Council do whatever is necessary to see that this property is renovated. There was no one else present who wished to speak to this item. Vice Mayor Dodson made a motion, seconded by Council Member Barksdale, to adopt the Resolution. Council Member Garber stated that he was notified today that the owners have agreed to convey the property to one of the neighbors, and made a substitute motion to continue the public hearing for 30 days to allow the neighbor reasonable time to finalize the transfer of the property. The substitute motion died for lack of a second. In response to Council questioning, Ms. Snavelly stated that adoption of the resolution would not

encumber the property or preclude transfer of the property to the neighbor. City Attorney Walter Erwin agreed, and also noted that adoption of the resolution might even encourage the current owners to move forward with the transfer of the property. The vote was called on the original motion, and Council by the following recorded vote adopted Resolution #R-04-006, as presented, approving the request from the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 552 Savannah Avenue under Section 36-19.5 of the Code of Virginia:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

7

Noes:

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// In the matter of Housing Authority, City Council Report #15 regarding the request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 2157 Campbell Avenue under Section 36-19.5 of the Code of Virginia was considered. Ms. Connie Snavelly, representing LRHA, explained that following a public hearing on January 14, 2003, City Council agreed to postpone a decision regarding this request to allow time for the property owners' son to renovate the property. Ms. Snavelly went on to say that no work has been done on the property since last January, and the Authority is now asking that City Council reconsider its earlier request to pursue acquisition of this property. On motion of Council Member Adams, seconded by Council Member Barksdale, Council by the following recorded vote adopted Resolution #R-04-007, as presented, authorizing the Lynchburg Redevelopment and Housing Authority to pursue acquisition of blighted property at 2157 Campbell Avenue under Section 36-19.5 of the Code of Virginia:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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// On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

0

// The meeting was re-opened to the public.

// Council Member Barksdale made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Dodson, and Council by the following recorded vote adopted the motion:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Appointments, and on nomination of Vice Mayor Dodson, Council by the following recorded vote appointed Ruth Richardson to serve on the Community Development Advisory Committee for a term to expire December 31, 2004:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In response to Deputy City Manager Svrcek's inquiry, City Council decided not to hold town meetings regarding the FY2005 Budget.

// The meeting was recessed at 8:02 P.M. to January 27, at 1:30 P.M., to conduct a work session regarding several items.

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Clerk of Council